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**DEC 21 2006**

**OFFICE OF PETITIONS**

In re Application of	:	
James J. Miller, et al.	:	
Application No. 10/730,431	:	DECISION ON PETITION
Filed: December 8, 2003	:	TO MAKE SPECIAL UNDER
Attorney Docket No. Miller-001:CIP	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed November 9, 2006, to make the above-identified application special based on applicant's health as set forth in M.P.E.P. § 708.02, Section III.

The petition is GRANTED.


A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section III: Applicant's Health, must be accompanied by evidence showing such as a doctor's certificate or other medical certificate that the state of health of the applicant is such that he or she might not be available to assist in the prosecution of the application if it were to run its normal course. No fee is required

The instant petition includes a declaration by a doctor that the inventor James J. Miller was diagnosed with multiple myeloma and might not be available to assist in the prosecution of the application if the disease were to run its normal course. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to April Wise at 571-272-1642.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3643 for action on the merits commensurate with this decision.

  
Amelia Au  
Petitions Examiner  
Office of Petitions